

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EVA LEE,

Plaintiff,

-against-

**NYP HOLDING INC. and
RAYMOND WALSH JR.,**

Defendants.

07 CIV 6475 (JSR)

**DECLARATION OF SHARI M. GOLDSMITH IN SUPPORT OF
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

I, Shari M. Goldsmith, declare under penalty of perjury under the laws of the United States, pursuant to 28 U.S.C. § 1746 the foregoing to be true and correct:

1. I am an associate with the law firm of Jones Day, attorneys for Defendant NYP Holdings, Inc., incorrectly named as "NYP Holding Inc." (hereinafter the "Post" or "Company"), in the above-captioned action, and am one of the attorneys principally responsible for defense of the Post in this action.

2. Attached hereto as Exhibit 1 are true and correct excerpted pages from the transcript of the deposition of Eva Siu-San Lee on November 13, 2007.

3. Attached hereto as Exhibit 2 are true and correct excerpted pages from the transcript of the deposition of Raymond Walsh, Jr. on December 20, 2007.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Affidavit of Raymond Walsh, Jr., executed on January 17, 2008, including all exhibits thereto.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Affidavit of Whit Sutherland, executed on January 17, 2008, including all exhibits thereto.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Affidavit of Michael Granito, executed on January 18, 2008.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Affidavit of Lloyd Vasquez, executed on January 17, 2008, including all exhibits thereto.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Affidavit of Amy Scialdone, executed on January 16, 2008, including all exhibits thereto.

Dated: New York, New York
January 18, 2008

Respectfully submitted,

s/Shari M. Goldsmith

Shari M. Goldsmith (SG 0909)

Jones Day
222 E. 41st Street
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(212) 326.3772

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on January 18, 2008, the foregoing was served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon all attorneys of record listed below:

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Attorney for Plaintiff Eva Lee

s/Shari M. Goldsmith
Shari M. Goldsmith